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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/882,306	06/13/2001	Larry Shultz	033122-003	6865
7	590 06/03/2004		EXAM	INER
Anthony T. Cascio			JANVIER, JEAN D	
BURNS, DOA P.O. Box 1404	NE, SWECKER & MA	THIS, L.L.P.	ART UNIT PAPER NUMBE	
• • • • • • • •	A 22313-1404		3622	

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

*	Application No.	Applicant(s)	
Office A. Company of the	09/882,306	SHULTZ, LARRY	
Office Action Summary	Examiner	Art Unit	1 . /
	Jean D Janvier	3622	MU
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence add	ress
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be timed within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	ely filed s will be considered timely. the mailing date of this con 0 (35 U.S.C. § 133).	nmunication.
Status			
1) Responsive to communication(s) filed on 13 Ju	ine 2001.		
	action is non-final.		
3) Since this application is in condition for allowar	nce except for formal matters, pro	secution as to the i	merits is
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	3 O.G. 213.	
Disposition of Claims			
4) ⊠ Claim(s) <u>1-36</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdray 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) ⊠ Claim(s) <u>1-36</u> are subject to restriction and/or expressions.	vn from consideration.		
Application Papers		•	
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) acce Applicant may not request that any objection to the correction of the correction of the correction acceptance of the correction	epted or b) objected to by the Eddrawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	37 CFR 1.85(a). ected to. See 37 CFF	• •
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau * See the attached detailed Office action for a list of	s have been received. s have been received in Application ity documents have been receive (PCT Rule 17.2(a)).	on No d in this National S	itage
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary (Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:	te	152)

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-16, and 21-36, drawn to a method or system for accessing from a client a web page stored at a contest server, obtaining a corresponding contestant identification and for selecting an indicia to provide an opportunity to purchase a content of a content promotion.
- II. Claims 17-20, drawn to a method or system for storing in a contest server a data packet containing a contest game for providing content promotion to a user who enters a contest, an award system for rewarding the user for engaging the data packet and a coupon dispenser to provide a coupon corresponding to the promotion and the user location.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require, as shown above, the particulars of the

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subcombination as claimed. Further, the subcombination has separate utility such as providing a reward to the user for entering the contest and a coupon based on the promotion and the location of the user.

A telephone call was made to the Applicant on 5/12/04 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean D Janvier whose telephone number is 308-6287. The examiner can normally be reached on Monday-Thur 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric W. P Stamber can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jean D Janvier Examiner Art Unit 3622